

[Race is key to flap over GOP's plan for 3 dozen new N.C. districts](#) (Charlotte Observer – June 23, 2011)

by Jim Morrill

A Republican plan that could put more African-Americans in the N.C. General Assembly also might spark another round of court fights over the role of race in drawing voting districts. The three dozen new districts proposed so far could boost the number of African-American senators by almost half and the number of black House members by a third. GOP mapmakers say they designed the districts to conform to the 1965 Voting Rights Act. They added two so-called majority-minority districts in Mecklenburg County and one in Wake. "We have a responsibility to be able to help the minority population be able to choose a candidate of their choice," said GOP Sen. Bob Rucho of Matthews, who chairs the Senate Redistricting Committee. But critics accuse Republicans of packing minority voters, traditionally Democrats, into districts to reduce their influence elsewhere as well as the number of Democrats in adjoining districts. "The Voting Rights Act is being used for perverse purposes to create districts that are mostly white," NAACP attorney Irving Joyner said Wednesday. "The packing ... is for the purpose of sanitizing the majority of districts and creating (segregated) Bantu districts across the state." GOP lawmakers released maps of the majority-minority districts as the first step in redrawing North Carolina's legislative and congressional voting districts. They include 24 House and 10 Senate districts with a majority-black voting age population. Now there are 18 African-Americans in the 120-member House and seven in the 50-member Senate. The districts give just a partial picture of this year's redistricting, the first in more than a century by Republican lawmakers. Congressional maps and complete legislative maps won't be released until July 1. A public hearing on the proposed minority districts is scheduled today at sites throughout the state. All of the new districts have to be approved by the General Assembly as well as by the U.S. Justice Department. Court challenges could also follow.

Legal claims

Virtually no state has seen as much redistricting litigation as North Carolina. The 12th Congressional District represented by Democratic Rep. **Mel Watt** was the most litigated district in the country during the 1990s. It was the subject of four cases that went to the U.S. Supreme Court. A string of state and federal cases involving other districts followed. All challenged the proper use of race in drawing new maps. Now, both sides claim the law is on their side. "Packing is when you put so many African-Americans in a district that you're prevented from making other African-American districts," said Rep. David Lewis of Harnett County, the House redistricting chair. "And all of the districts that we've (drawn) ... maximize the number of districts that we could draw." Though an incomplete picture, the maps released so far appear to clearly affect Democratic incumbents. For example:

-- In Mecklenburg, Democratic Rep. Martha Alexander in south-central Charlotte's District 106 could lose nearly 11,000 voting-age African-Americans. They would go to a proposed new District 87, one of five majority-black districts in the county.

-- Rep. Tricia Cotham, who represents District 100 in east Charlotte, would lose more than 5,000 potential minority voters.

-- In Wake County, Democratic Rep. Darren Jackson could lose more than 7,000 black adults in a district that was just 53 percent Democratic to start with. They would move to District 38, now represented by Democrat Deborah Ross.

-- In Guilford County, Greensboro Democratic Reps. Maggie Jeffus and Pricey Harrison, both white, would both be in a new majority-minority district.

-- And in Forsyth County, Winston-Salem Democrat Linda Garrou would be drawn out of her district expressly to give minorities a better chance to be elected.

Though African-Americans make up 41 percent of her district's voting-age population, she has twice defeated black candidates in Democratic primaries. The new

district will have a slightly smaller black population. The proposed district "will provide African-American citizens with a more equal ... opportunity to elect a candidate of choice," Rucho and House Redistricting Chair David Lewis of Harnett County wrote in a memo. "I'm not surprised," Garrou said. "I've been a thorn in their side ... If they can't beat me, they're going to try to get rid of me some other way."

Democrats return fire

Democrats came under fire for drawing sometimes oddly shaped districts when they were in power to help their own party. Now they're accusing the GOP of doing the same thing. One proposed House district, for example, starts in Richmond County, passes along a narrow strip to eastern Scotland County and then another strip to eastern Robeson County. Other eastern districts reach into minority communities over several counties. Jay Parmley, executive director of the state Democratic Party, said Republicans put "as many African-Americans as humanly possible" in new gerrymandered districts. But Rucho said a 2009 U.S. Supreme Court involving Pender County requires lawmakers to draw majority-minority districts where they can. Upholding a state ruling, the court said the population threshold for a discrimination complaint under the Voting Rights Act was 50 percent. "The Strickland decision says it has to be 50 percent plus one, and that's what each of those districts were unless they were higher to start with," Rucho said. "What's very key is the compactness of the minorities (population), not necessarily the compactness of the district." Sen. Floyd McKissick, a Durham Democrat and chair of the legislative Black Caucus, said he expects the complete redistricting maps to also hurt Democrats. "You don't have to go to a philosopher or a political analyst to see the handwriting on the wall," he said.